

Frequently asked questions

★ I have a query about the form

→ All EU countries offer free practical assistance. See the e-Justice portal or ask at your local business or consumer association.

★ Do I need a lawyer?

→ No. The procedure is simple enough to complete without professional legal advice. However, you can instruct a lawyer if you wish.

★ Am I entitled to free legal assistance?

→ You may be if you cannot afford the costs. Visit: https://e-justice.europa.eu/content_legal_aid-55-en.do

★ What documents do I attach with my claim form?

→ Anything that supports your claim: correspondence, invoices, contracts, a witness statement.

★ Will I have to appear in court?

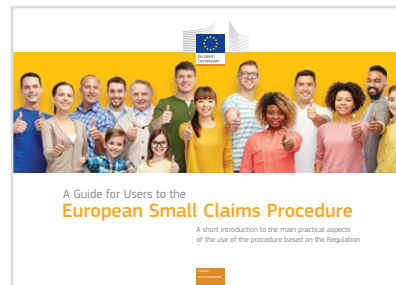
→ Not usually. This is primarily a written procedure. Hearings are only held where necessary and you may request a video linkup.

★ How much will a claim cost?

- You will have to pay an application fee to the court handling your case.
- Courts try to keep the costs of low-value claims proportional.
- If you lose your case, you will have to reimburse the other side's costs but only those the court finds necessary and proportionate.
- You may have to pay to translate documents and to obtain evidence from expert witnesses. However, courts try to keep costs to a minimum.
- You may seek reimbursement of your costs.

Is your business owed money in another EU country? The European Small Claims Procedure is a faster, easier way to chase debt. Find out how.

Download a guide to the European Small Claims Procedure at: https://e-justice.europa.eu/content_small_claims-42-en.do



Visit the e-Justice Portal: <https://e-justice.europa.eu/home.do?plang=en&action=home>

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European Judicial Network
in civil and commercial matters



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Chase money owed in another EU country

Tips for SMEs
on the European
Small Claims
Procedure

Justice
and Consumers

Could the European Small Claims Procedure help my business?

Are you owed money by a client or supplier in another EU country?

Claiming across borders can seem a headache. You don't want to end up out of pocket from a lengthy court case in a foreign country.

But there is a cost-effective way to recover what you are owed: the European Small Claims Procedure. You don't have to have a lawyer, can get help with forms and the procedure is relatively quick.

Don't let fear of losing money stop you from doing business across borders.

93%

of Europe's SMEs have 10 employees or less.¹

The Small Claims Procedure can help these time-poor companies get what they're owed.

Is my claim suitable?



YES
IF:

- ▶ you are claiming money or compensation from a business, organisation or customer in another EU country.
- ▶ the claim doesn't exceed € 5 000.



NO
IF IT INVOLVES:

- ▶ debts in the same country in which your business is based.
- ▶ a value over € 5 000.
- ▶ a dispute with a public authority over taxes, fees or social security.
- ▶ employment, divorce, succession or family law.
- ▶ a dispute against a person/business based in Denmark.

The procedure covers compensation for goods and services, it's not just about tangible products.

Five easy steps

STEP 1

Fill out Claim Form A, attaching supporting documents. The form can be downloaded at: https://e-justice.europa.eu/content_small_claims_forms-177-en.do?clang=en#action

STEP 2

Lodge it with a relevant court physically or electronically (where accepted).

STEP 3

The court sends a copy of your claim to the defendant **within 14 days**. The defendant has **30 days** to respond.

STEP 4

Within **30 days**, if the court has enough information, it makes a judgment. It may request more information or a hearing.

STEP 5

You can request a free court certificate of the judgment for enforcement.

1. Source: Annual Report on European SMEs 2016/2017